

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

LUCIO GARCIA, III §
VS. § CIVIL ACTION NO. 4:11cv467
KROGER STORES, INC., ET AL. §

ORDER OF DISMISSAL

Plaintiff Lucio Garcia, III, previously a prisoner confined at the Denton County Jail, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit. The complaint was referred to United States Magistrate Judge Amos L. Mazzant, who issued a Report and Recommendation for the disposition of the lawsuit. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the civil rights complaint is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). All motions not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 22nd day of August, 2011.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE